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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,982	12/12/2001	Yutaka Nakashima	1391.1037	5777
21171	7590 07/23/2003	·		
	HALSEY LLP	EXAMINER		
SUITE 700 1201 NEW YORK AVENUE, N.W.			LEE, SUSAN	SHUK YIN
WASHINGTON, DC 20005			ART UNIT	PAPER NUMBER
			2852	
			DATE MAILED: 07/23/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

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Examiner Susin S. Lee 2852 - The MAILING DATE of this communication appears in the circumstance address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE of THIS COMMUNICATION. Extensions of time may be available under the processors of 3 C PR 1,136(n), in no event, however, may a reply be timely filled. If the period for rely is pecified above, the maintern statutory period will apply and will apply and vill the processor and short of the processor and the communication of the period of the communication of the period of the communication of the period of the communication of the communication of the communication. Failur to specified above, the maintern statutory period will apply and will apply and vill apply 5 (8) (8) MoNTHS from the realizing date of this communication. Failur to specified show, the processor and the period of the communication. Failur to specified show, the specified show, the maintern statutory period will apply and vill apply set of the communication. Failur to specified show, the communication of the communication of the communication. Failur to specified show, the processor and the communication of the communication. Processor of the period of the communication of the communication. Application of Claims 4 (S) Claim(s) 1.569 is/are pending in the application. 4 (S) Claim(s) 1.569 is/are pending in the application. 4 (S) Claim(s) 2.59 is/are allowed. 5 (S) Claim(s) 2.59 is/are allowed. 5 (Claim(s) 2.59 is/are objected to. 8 (Claim(s) 2.59 is/are objected to. 9 (Claim(s) 2.59 is/are objected to by the Examiner. Application Papers 9 (Claim(s) 2.59 is/are objected to by the Examiner. Application Papers 9 (Claim(s) 2.59 is/are objected to by the Examiner. 10 (Claim(s) 2.59 is/are objected to by the Examiner. 11 (Cartified copies of the priority documents have been received in Application No. 12 (Cartified copies of the priority documents have been received in Application No. 13 (Copies of the certified co		•	Applicati n N .	Applicant(s)				
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DETAILED ACTION

Election/Restrictions

Applicant's election of Group I in Paper No. 5 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 3-5 and 31-56 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 5.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Specification

The abstract of the disclosure is objected to because it is too lengthy. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract



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on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

Claims 1 and 2 are objected to because of the following informalities:

As to claim 1, lines 30-31, why is "(e.g., dimethyl silicone rubber)" in parenthesis? It is indefinite because it is not positively recited.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

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were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakashim at al. (EP 0997792 A1) in view of Kobayashi at al. (2002/0159799).

Nakashim at al. discloses a wet type electrophotography apparatus using a non-volatile, high-viscosity, high-concentration liquid toner to develop a latent image on photoconductive medium 10 to form a toner image; an intermediate transfer body 15; a transfer-and-fixation section including a heater 18 and a pressure roller 19 contacting the intermediate transfer body 15; and a oil-removing mechanism 30 or 20 comprising a removal roller 24 or removal belt (note page 8, paragraph [0056]) for removing excess prewetting solution and the excess carrier solution in the liquid toner from the toner image surface either on the photoconductive medium 10 or the intermediate transfer body 15. A bias voltage of – 100 V is applied to the roller 24 or belt so that toner particles from the toner image surface are prevented to migrate from the photoconductive medium 10 or the intermediate transfer body 15. Note abstract.

Nakashim at al. differs from the instant invention by not disclosing an electric resistance of the surface material of the intermediate transfer body.

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Kobayashi at al. discloses using an intermediate transfer body that preferably has an electrical resistance of $1x10^4~\Omega$ to $1x10^{11}~\Omega$ which is within the instant invention's range. Note paragraph [0064].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Nakashim at al. with that of Kobayashi at al. because using an intermediate transfer body of Kobayashi at al. would obtain optimal transferring of images.

Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 6-30 are allowed over the prior art of record.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nakashima et al. (034), Nakashima et al. (147), Nakashima et al. (756), Tanaka et al., Berkes et al., and Dalal et al. disclose art in intermediate transfer members. Matsuoka et al. discloses an oil absorbent used for treating toner images.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 703-308-2138. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 703-308-1373. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-305-3432 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Śúsań Ś. Ľee Primary Examiner Art Unit 2852

sl July 13, 2003